

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

CHAMBER OF COMMERCE OF THE
UNITED STATES OF AMERICA, AMERICAN
BANKERS ASSOCIATION, AMERICAN
FINANCIAL SERVICES ASSOCIATION,
CONSUMER BANKERS ASSOCIATION,
FINANCIAL SERVICES ROUNDTABLE,
TEXAS ASSOCIATION OF BUSINESS,
TEXAS BANKERS ASSOCIATION, GRAND
PRAIRIE CHAMBER OF COMMERCE,
GREATER IRVING LAS COLINAS
CHAMBER OF COMMERCE, GRAPEVINE
CHAMBER OF COMMERCE, LUBBOCK
CHAMBER OF COMMERCE, BAY CITY
CHAMBER OF COMMERCE, GREATER
NEW BRAUNFELS CHAMBER OF
COMMERCE, LONGVIEW CHAMBER OF
COMMERCE, MCALLEN CHAMBER OF
COMMERCE, NORTH SAN ANTONIO
CHAMBER OF COMMERCE, PARIS-LAMAR
CHAMBER OF COMMERCE, and PORT
ARTHUR CHAMBER OF COMMERCE,

Plaintiffs,

v.

CONSUMER FINANCIAL PROTECTION
BUREAU; RICHARD CORDRAY, in his
official capacity as director of the Consumer
Financial Protection Bureau,

Defendants.

Case No. 3:17-cv-02670-D

NOTICE OF VOLUNTARY DISMISSAL

Plaintiffs, by and through their undersigned counsel, and pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i), hereby give notice of the dismissal of this action without prejudice. Pursuant to the Congressional Review Act, 5 U.S.C. §§ 801 *et seq.*, the House of Representatives and the Senate have passed, and the President has signed, a joint resolution disapproving the Consumer Financial Protection Bureau rule at issue in this case. *See* H.J. Res. 111, 115th Cong., 1st Sess. (2017) (signed by President Nov. 1, 2017); President Donald J. Trump Signs H.J. Res. 111 into Law (Nov. 1, 2017), *at* <https://www.whitehouse.gov/the-press-office/2017/11/01/president-donald-j-trump-signs-hjres-111-law> (A copy of H.J. Res. 111 is attached as Exhibit A.)

The Congressional Review Act provides that “[a] rule shall not take effect (or continue), if the Congress enacts a joint resolution of disapproval.” 5 U.S.C. § 801(b)(1); *see also* H.J. Res. 111, *supra* (stating “[t]hat Congress disapproves the rule submitted by the Bureau of Consumer Financial Protection relating to “Arbitration Agreements” (82 Fed. Reg. 33210 (July 19, 2017)), and such rule shall have no force or effect”). Because the Consumer Financial Protection Bureau rule has been invalidated pursuant to the Act, and therefore has no continuing legal effect, Plaintiffs hereby voluntarily dismiss this action without prejudice.

Dated: November 2, 2017

Respectfully submitted,

By: s/ Andrew J. Pincus

Charles S. Kelley (Texas Bar No. 11199580)
MAYER BROWN LLP
700 Louisiana Street
Suite 3400
Houston, TX 77002-2730
(713) 238-3000
(713) 238-4888 (fax)
ckelley@mayerbrown.com

Andrew J. Pincus (DC Bar No. 370726;
pro hac vice)
Archis A. Parasharami (DC Bar No. 477493;
pro hac vice)
Kevin S. Ranlett (Texas Bar No. 24084922;
pro hac vice)
MAYER BROWN LLP
1999 K Street NW
Washington, DC 20006
(202) 263-3000
(202) 263-3300 (fax)
apincus@mayerbrown.com
aparasharami@mayerbrown.com
kranlett@mayerbrown.com

Counsel for Plaintiffs

Steven P. Lehotsky (DC Bar No. 992725;
pro hac vice)
Warren D. Postman (DC Bar No. 995083;
pro hac vice)
Janet Y. Galeria (DC Bar No. 1004542;
pro hac vice)
U.S. CHAMBER LITIGATION CENTER
1615 H Street, NW
Washington, DC 20062
(202) 463-5337
(202) 463-5346 (fax)
slehotsky@uschamber.com
wpostman@uschamber.com
jgaleria@uschamber.com

*Counsel for Plaintiff Chamber of Commerce of the
United States of America*

CERTIFICATE OF SERVICE

I hereby certify that on November 2, 2017, I electronically filed the foregoing notice of voluntary dismissal with the Clerk of Court using the CM/ECF system which will send notification of such filing to counsel of record and constitute service on such counsel and their represented parties pursuant to FED. R. CIV. P. 5(b)(2)(E) and Local Rule 5.1(d). In addition, by agreement of the parties, I caused the foregoing to be served by email on counsel for Defendants as follows:

John Coleman (john.coleman@cfpb.gov)

Christopher Deal (christopher.deal@cfpb.gov)

Steven Bressler (steven.bressler@cfpb.gov)

Kevin Friedl (kevin.friedl@cfpb.gov)

David King (david.king@cfpb.gov)

/s/ Andrew J. Pincus

Andrew J. Pincus